

**CHAPTER NO. 348**

**SENATE BILL NO. 2076**

**By Cooper, Kurita, Kilby, Bryson, Burks**

**Substituted for: House Bill No. 2157**

**By Curtiss, Marrero**

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 30, relative to the creation of a Task Force on Organ Donation and Transplantation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 30, is amended by adding the following language as an appropriately designated new section:

68-30-\_\_\_\_. (a) There is hereby established within the Department of Health a task force on organ donation and transplantation ("the task force"). The task force shall have the following eighteen (18) members:

(1) The Commissioner of Health, ex officio, or his or her designee;

(2) The Commissioner of Safety, ex officio, or his or her designee;

(3) Three (3) members of the general assembly; one (1) appointed by the Speaker of the Senate; one (1) appointed by the Speaker of the House of Representatives; and one (1) appointed by the governor;

(4) One (1) registered nurse appointed by the Tennessee nurses association;

(5) Eleven (11) members appointed by the Commissioner of Health as follows:

(A) Two (2) physicians (at least one of whom shall have experience in organ transplantation);

(B) Three (3) representatives (one from each grand division) from transplant centers;

(C) One (1) representative of hospitals;

(D) One (1) representative of insurers or self-insurers;

(E) One (1) representative of each of the two (2) organ procurement organizations serving Tennessee; and

(F) Two (2) members of the general public who are knowledgeable in areas of the task force's work.

(b) The members shall serve on the task force without compensation and shall not be entitled to reimbursement for travel expenses.

(c) The task force shall conduct a comprehensive examination of the medical, legal, ethical, economic, and social issues presented by human organ donation and transplantation.

(d) The task force shall report its findings and recommendations to the governor and the general assembly on or before January 1, 2006. The report shall include, but need not be limited to, the following:

(1) An assessment of public and private efforts to procure human organs for transplantation and an identification of factors that diminish the number of donors and of organs available for transplantation;

(2) An assessment of problems, if any, in coordinating the procurement of viable human organs;

(3) Recommendations for the education and training of health professionals, including physicians, nurses, and hospital and emergency care personnel, with respect to organ procurement;

(4) Recommendations for the education of the general public, the clergy, law enforcement officers, members of local fire departments, and other agencies and individuals that may be instrumental in affecting organ and tissue procurement;

(5) An identification of barriers to the donation of organs to patients, if any, affected by state law or the health care system;

(6) An analysis of the manner in which organ transplantation technology is diffused among and adopted by qualified Tennessee medical centers, including a specification of the number and geographical distribution of qualified medical centers using such technology, an assessment of whether the number of centers using such technology is sufficient or excessive, and an assessment of whether the public has sufficient access to medical procedures using that technology; and


(7) Recommendations for legislative changes necessary to make organ donation and transplants more readily available to Tennessee citizens.

(e) The Commissioner of Health shall review the progress of the task force to determine the need for its continuance, and the commissioner shall report this determination to the governor and the General Assembly on or before February 15, 2006.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 25, 2005**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 15<sup>th</sup> day of July 2005**

  
PHIL BREDESEN, GOVERNOR